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Express Mail No: EV 456 932 658 US**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Application of: *Collins et al.*

Confirmation No.: 9921

Serial No.: 10/789,165

Art Unit: 1614

Filed: February 26, 2004

Examiner: To be Assigned

For: CXCR3 Antagonists

Attorney Docket No.: 11134-019-999

SECOND INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure provisions of 37 C.F.R. §1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the application.

1. Enclosures accompanying this Information Disclosure Statement are:
 - 1a. A list of all patents, publications, applications, or other information submitted for consideration by the office.
 - 1b. A legible copy of :
 - Each U.S. patent application publication and U.S. and foreign patent;
 - Each publication or that portion which caused it to be listed on the PTO-1449;
 - For each cited pending U.S. application, the application specification including the claims, and any drawing of the application, or portion of the application which caused it to be listed on the PTO-1449 including any claims directed to that portion;
 - all other information or portion which caused it to be listed on the PTO-1449.
 - 1c. An English language copy of search report(s) from a counterpart foreign application or PCT International Search Report.
 - 1d. Explanations of relevancy (ATTACHMENT 1(d), hereto) or English language abstracts of the non-English language publications.
2. This Information Disclosure Statement is filed under 37 C.F.R. §1.97(b):
 - Within three months of the filing date of a national application other than a continued prosecution application under §1.53(d);
 - Within three months of the date of entry of the national stage as set forth in §1.491 in an international application;

- Before the mailing of the first Office action on the merits;
- Before the mailing of a first Office action after the filing of a request for continued examination under §1.114.
3. This Information Disclosure Statement is filed under 37 C.F.R. §1.97(c) after the period specified in 37 C.F.R. §1.97(b), but before the mailing date of any of a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311 or an action that otherwise closes prosecution in the application.
(Check either Item 3a or 3b)
- 3a. The Certification Statement in Item 5 below is applicable. Accordingly, no fee is required.
- 3b. The \$180.00 fee set forth in 37 C.F.R. §1.17(p) in accordance with 37 C.F.R. §1.97(c) is:
 enclosed
 to be charged to Jones Day Deposit Account No. 50-3013.
- (Item 3b to be checked if any reference known for more than 3 months)*
4. This Information Disclosure Statement is filed under 37 C.F.R. §1.97(d) after the period specified in 37 C.F.R. §1.97(c), but on or before the date of payment of the issue fee.
- The Certification Statement in Item 5 below is applicable.
- The \$180.00 fee set forth in 37 C.F.R. §1.17(p) is:
- enclosed.
 to be charged to Jones Day Deposit Account No. 50-3013
5. Certification Statement (applicable if Item 3a or Item 4 is checked)
(Check either Item 5a or 5b)
- 5a. In accordance with 37 C.F.R. §1.97(e)(1), it is certified that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- 5b. Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not **received** by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- 5c. Pursuant to 37 C.F.R. §1.704(d), each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not **received** by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this information disclosure statement.
6. This application is a continuation application under 37 C.F.R. §1.60 or §1.53(b) or (d).
(Check appropriate Items 6a, 6b and/or 6c)
- 6a. A Petition to Withdraw from issue under 37 C.F.R. §1.313(b)(5) is concurrently

filed herewith.

- 6b. Copies of publications listed on Form PTO-1449 from prior application Serial No., filed on , of which this application claims priority under 35 U.S.C. §120, are not being submitted pursuant to 37 C.F.R. §1.98(d).
- 6c. Copies of the publications listed on Form PTO-1449 were not previously cited in prior application Serial No. , filed on , and are provided herewith.
7. This is a Supplemental Information Disclosure Statement. (Check Item 7a)
- 7a. This Supplemental Information Disclosure Statement under 37 C.F.R. §1.97(f) supplements the Information Disclosure Statement filed on . A bona fide attempt was made to comply with 37 C.F.R. §1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental Information Disclosure Statement can be considered as if properly filed on
8. In accordance with 37 C.F.R. §1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:
(Check Item 8a, 8b, or 8c)
- 8a. satisfied because all non-English language publications were cited on the enclosed English language copy of the PCT International Search Report or the search report from a counterpart foreign application indicating the degree of relevance found by the foreign office.
- 8b. set forth in the application.
- 8c. enclosed as an attachment hereto.
9. The Commissioner is authorized to charge any additional fee required or credit any overpayment for this Information Disclosure Statement and/or Petition to Jones Day Deposit Account No. 50-3013 (657253-999019).
10. No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than a search report of a foreign counterpart application or PCT International Search Report if submitted herewith). 37 C.F.R. §§1.97(g) and (h).

Respectfully submitted,

Date: JANUARY 12, 2005

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PATENT AND TRADEMARK OFFICE

LIST OF REFERENCES CITED BY APPLICANT
(Use several sheets if necessary)

ATTY DOCKET NO.

11134-019-999

APPLICATION NO

10/789,165

APPLICANT

Collins, *et al.*

FILING DATE

February 26, 2004

GROUP

1614

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	B01	5,202,322	4/13/93	Allen <i>et al.</i>			
	B02	5,256,667	10/26/93	Allen <i>et al.</i>			
	B03	5,719,144	2/17/98	Hartman <i>et al.</i>			
	B04	5,756,502	5/26/98	Padia			
	B05	5,869,665	2/9/99	Padia			
	B06	5,908,930	6/1/99	Dow			
	B07	6,140,064	10/31/00	Loetscher <i>et al.</i>			
	B08	6,545,005	4/8/03	Baxter <i>et al.</i>			
	B09	6,605,632	8/12/03	Lesieur <i>et al.</i>			
	B10	6,794,379	9/21/04	Medina <i>et al.</i>			
	B11	20030134843	7/17/03	Lubisch <i>et al.</i>			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	YES	NO
	B12	International Search Report of PCT/US01/47850	8/26/02	PCT					
	B13	International Search Report of PCT/US04/05960	10/12/04	PCT					
	B14	EP 0481 614 A1	4/22/92	EPO					
	B15	WO92/01675	2/6/92	PCT					
	B16	WO97/04775	2/13/97	PCT					
	B17	WO98/13350	4/2/98	PCT					
	B18	WO98/26664	6/25/98	PCT					
	B19	WO99/58495	11/18/95	PCT					
	B20	WO01/057038	8/9/01	PCT					
	B21	WO01/19800 A2	3/22/01	PCT					
	B22	WO01/19800 A3	3/22/01	PCT					
	B23	WO01/62758	8/30/01	PCT					
	B24	WO01/77087	10/18/01	PCT					
	B25	WO02/28831	4/11/02	PCT					
	B26	WO02/083143	10/24/02	PCT					

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

B27	Agostini, <i>et al.</i> , 1998 "Involvement of the IP-10 Chemokine in Sarcoid Granulomatous Reactions", <i>J. Immunol.</i> 161: 6413-6420.
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	B28	Balashov <i>et al.</i> , 1999 "CCR5 ⁺ and CXCR3 ⁺ T Cells are Increased in Multiple Sclerosis and Their Ligands MIP-1 α and IP-10 are Expressed in Demyelinating Brain Lesions," Proc. Natl. Acad. Sci. USA, 96:6873-78.
	B29	Banker, <i>et al.</i> , 1996 "Prodrugs", <i>Modern Pharmaceutics</i> , 3ed" Marcel Dekker, New York 596.
	B30	Bowdish <i>et al.</i> 2003 "Evaluation of An Oral CXCR3 Antagonist in a Rat Model of the Acute Allograft Rejection", <i>The Journal of the Heart and Lung Association</i> Vol. 22 Supplement 1 Page S162
	B31	Carter, <i>et al.</i> , 2002 "Chemokine Receptor Antagonism as an Approach to Anti-Inflammatory Therapy: 'Just Right' or Plain Wrong?", <i>Current Opin. Chem. Biol.</i> , 6: 510-525.
	B32	Cecil's Textbook of Medicine, 20 th Edition, Vol. 1 (a996), pages 1004-1010 (1996)
	B33	Cecil's Textbook of Medicine, 20 th Edition, Vol. 2, pages 1992-96 (1996)
	B34	Chabrier <i>et al.</i> Pubmed Abstract 10442086, also cited as Cell. Mol. Life Sci. 55/8-9 1029-35 (1999)
	B35	Chiang <i>et al.</i> , Pubmed Abstract 12898413, also cited as Planta Med., 69/7, 600-4, (2003)
	B36	J.T. Coyle <i>et al.</i> , 1983 Science 219, 1184-90
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	B38	Gerard, <i>et al.</i> , 2001 "Chemokines and Diseases", <i>Nature Immunology</i> , 2(2): 108-115.
	B39	Goldbeerg <i>et al.</i> , 2001 Pubmed Abstract 11437993, also cited as Neuropathol. Appl. Neurobiol. 27/2, 127-38.
	B40	Hancock <i>et al.</i> , 2000 "Requirement of the Chemokine Receptor CXCR3 for Acute Allograft Rejection," <i>J. Exp. Med.</i> , 192(10):1515-19..
	B41	Hancock <i>et al.</i> , 2001 "Donor-Derived IP-10 Initiates Development of Acute Allograft Rejection", <i>J. Exp. Med.</i> 193: 975-980
	B42	Liang, <i>et al.</i> , 2000 "Identification and Characterization of a Potent Selective, and Orally Active Antagonist of the CC Chemokine Receptor-1", <i>The J.of Biol. Chem.</i> . 25(23): 19000-19008.
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	B45	Onuffer, <i>et al.</i> , 2002 "Chemokines, Chemokine Receptors and Small-Molecule Antagonists: Recent Developments", <i>Trends in Pharmacological Sciences</i> 23(10): 459-467.
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	B47	Proudfoot, <i>et al.</i> , 2003 "Strategies for Chemokine Antagonists as Therapeutics", <i>Seminars in Immunology</i> . 15:57-65.
	B48	Qin <i>et al.</i> , 1998 "The Chemokine Receptors CXCR3 and CCR5 Mark Subsets of T Cells Associated with Certain Inflammatory Reactions," <i>J. Clin. Invest.</i> 101(4): 746-54.
	B49	Rabin <i>et al.</i> , 1999 "Chemokine Receptor Responses on T Cells Achieved Through Regulation of Both Receptor Expression and Signaling," <i>The Journal of Immunology</i> , 162: 3840-50.
	B50	Rottman <i>et al.</i> , 2001 "Potential Role of the Chemokine Receptors CXCR3, CCR4, and the Integrin α E β 7 in the Pathogenesis of Psoriasis Vulgaris", <i>Lab. Invest.</i> 81(3): 335-347.
	B51	Ruschpler <i>et al.</i> , 2003 "High CXCR3 Expression in nSynovial Mast Cells Associated with CXCL9 and CXCL10 Expression in Inflammatory Synovial Tissues of Patients with Rheumatoid Arthritis", <i>Arthritis Res. Ther.</i> 5: R241-R252.
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	B54	Sorensen <i>et al.</i> , 1999 "Expression of Specific Chemokines and Chemokine Receptors in the Central Nervous System of Multiple Sclerosis Patients", <i>J. Clinical Invest.</i> 103: 807-815.
	B55	Uckun <i>et al.</i> , 2001 "Structure Based Design of Novel Anticancer Agents", <i>Current Cancer Drug Targets</i> , 1, 59-71
	B56	Wells, <i>et al.</i> , 1999 "Chemokine Receptors and Their Antagonists in Allergic Lung Disease" <i>Inflamm. Res.</i> , 48: 353-362.
	B57	Wolff, Manfred E. "Burger's Medicinal Chemistry, 5ed Part 1", John Wiley & Sons, 1995, Pages 975-977.
	B58	Zhao <i>et al.</i> , 2002 Pubmed Abstract 121133984, also cited as J. Immunol., 169/3 1556-60

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.